

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**DIAMOND CARPENTER, DARCEE
McCULLER, and NINA THURMAN,**

Plaintiff,

v.

**JERK TACO MAN HOLDINGS, LLC
(ILLINOIS LLC),**

And

JULIUS B. THOMAS (INDIVIDUALLY),

Defendants.

Case: 1:22-cv-05424

Jury Trial Demanded

PLAINTIFFS' STATUS REPORT

Pursuant to this Court's Order entered on August 22, 2023 [Dkt. 23], Plaintiffs, Diamond Carpenter, Darcee McCuller, and Nina Thurman hereby submit the following:

1. Plaintiffs initiated this action on October 4, 2022, against Defendants, Jerk Taco Man Holdings, LLC (Illinois LLC) and Julius B. Thomas, individually (the "Defendants") for violations of the FLSA (Dkt. 1).

2. Both Defendants failed to file a responsive pleading to Plaintiffs' Complaint as required by the Federal Rules of Civil Procedure.

3. Default Judgments were entered by this Court on January 10, 2023 against Defendants.

4. On February 13, 2023, Plaintiffs filed a Suggestion of Bankruptcy upon notice of Defendant, Jerk Taco Man Holdings, LLC's (Illinois LLC) voluntary petition filed in the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division, Case No.: 23-

00901. (“Bankruptcy Case”).

5. Plaintiffs moved the Court to stay the proceedings pending the outcome of the Bankruptcy Case.

6. Pursuant to the Court’s Order (Dkt. 21), on June 19, 2023, Plaintiff filed a Status Report because Plaintiff was informed that Defendant’s bankruptcy proceedings, (Case No: 23-bk-00901) has been dismissed and as a result, Plaintiff requested this Court to lift the Stay so that Plaintiff can proceed with Case No. 1:22-cv-05424.

7. On August 22, 2023, the Court entered an order lifting the stay of this action. (Dkt. 23).

8. To date, Defendants have failed to file a responsive pleading to the Complaint, and Plaintiffs hereby notify the Court of their intentions to seek a final judgment against the Defendants for their failure to respond accordingly.

Dated this 12th day of September, 2023.

/s/ Nathan C. Volheim, Esq.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been filed electronically with the Clerk of the Court and has been provided via U.S. Mail on this 12th day of September, 2023, to the following:

Julius B. Thomas, individually
7723 S. State Street
Chicago, IL 60619
Defendant

Jerk Taco Man Holdings, LLC
7723 S. State Street
Chicago, IL 60619
Defendant

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Chicago, IL 60604
*Counsel for Defendant/Debtor, Jerk
Taco Man Holdings, LLC*

/s/ Nathan C. Volheim, Esq.
NATHAN C. VOLHEIM, ESQ.